



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, July 5, 2011

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

Laid Over Summary Abatements - On for Council on July 6

- 1 [RLH TA 11-177](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1107, Assessment No.118036 at 571 VAN BUREN AVENUE.

Sponsors: Carter III

Attachments: [571 Van Buren Ave.Photos.1-5-10.pdf](#)

Ms. Moermond recommends that the Vacant Building fee be waived for 90 days on the condition that the Code Compliance inspection take place, the work get done and all permits signed-off.

RE: 571 Van Buren Avenue (duplex and single family cottage)

Ron Peltier, owner, appeared.

Inspector Joe Yannarely:

- Vacant Building fee for \$1,100 with service charge of \$135 for a total: \$1,235
- Category 2 VB since Dec 15, 2009
- no Code Compliance has been done since the last hearing

Mr. Peltier:

- got hit with one last year; paid half already
- how much longer will this go on and how many more fines will be leveled on him
- haven't had a decent inspection; nothing has been checked off the C of O list since 2009
- had 2 electrical inspections
- applied for a 3rd permit and was refused because it went into Category 2
- it's been bouncing around from Cat 1 to Cat 2
- it shouldn't have ever gone to a Cat 2; a lot of the work had been done at that time
- It's all done; could have moved the renter back in Feb of last year
- he would like an inspector to come and check out the place and not have to pay \$550 for it plus \$450 for the back house
- has had the enforcer hang a sign on it but no final inspection

- handed the City 2 reports on the furnaces; they said they can't find one of them
- has photographs with him today
- had told Ms. Moermond last year that 30 days would not be enough time to get everything done

Ms. Moermond:

- if it was Condemned, how did it end up being a Cat 1 Vacant Building

Inspector Yannarely:

- Notes-Jan 26, 2010: change to Cat 1 per Ms. Moermond and Mr. Urmann (change to Cat 1 and hold the VB fee for 30 days to allow owner time to obtain C of O. If he fails, property will revert back to Cat 2 and owner must pay fee)
- Notes-Mar 15, 2010: will change back to Cat 2; no Code Compliance or C of O inspection
- only Cat 1 for a brief time to allow time for arrangements with Fire (which, apparently, never happened)

Ms. Moermond:

- has a note from the inspector saying that she completed the re-inspection and found the home not ready to be re-occupied; should remain a Category 2 Registered Vacant Building (inspector sent photos to Ms. Moermond and her supervisor)
- reminded Mr. Peltier that he had been given 30 days last year to get this done
- can recommend that the fee be paid over time
- can also recommend that the fee get waived for a certain period of time if the job can be done quickly
- need the Code Compliance Inspection done and sign-offs
- is willing to give Mr. Peltier a second chance to get a delay in fees if the work is completed
- the previous deficiency list is gone because it wasn't done on time
- a new Code Compliance inspection needs to be done
- if Mr. Peltier can get the work done in 90 days, she will decrease the VB fee somewhat
- will recommend to the City Council that the VB fee be waived for 90 days on the condition that the Code Compliance inspection take place, the work done and all permits signed-off

Referred to the City Council due back on 7/6/2011

- 2 [RLH TA 11-168](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No.118053 at 116 CLEVELAND AVENUE SOUTH.

Sponsors: Stark

Attachments: [116 cleveland ave s. photo.DOC](#)
 [116 Cleveland Ave S. snow letters.pdf](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 7/6/2011

- 3 [RLH TA 11-138](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 775 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

Attachments: [775 jessamine Ave E. Snowletter 1.24.11.pdf](#)

Ms. Moermond will recommend this assessment be deleted.

RE: 775 Jessamine Ave E (single family)

Sam Bergstrom, owner, appeared.

Inspector Paula Seeley:

- snow abatement for a total cost of \$300
- letter was sent out Jan 24, 2011 with a compliance date of Jan 27, 2011
- re-checked on Jan 27, 2011 and found to be noncompliant
- Parks did the work on Jan 31, 2011
- Orders were sent to: Samuel Bergstrom, 775 Jessamine; Occupant; and Harriet Maslowski, 2204 Mohawk Rd E, Maplewood

Mr. Bergstrom:

- the letter was for snow on my sidewalk and there was no snow on the sidewalk
- he has photos, which he entered
- the problem was that there was snow in the street that the City did not plow
- Dec 11, 2010 - a 17 inch snow fall; he cleared the snow from his sidewalk and his next door neighbor's sidewalk complete to the curb (required by law)
- the City never plowed the street to the curb all winter; they had come thru and made a path in the middle of the street
- he entered a drawing of what happened
- the street snow had never been plowed within 6 feet of the curb
- Dec 23, 2010 - he emailed the City complaining about the snow, specifically the snow on his corner (entered copy of email)
- Jan 24, 2011 - City sent him a Notice to clear his sidewalk to the street, referencing Saint Paul Legislative Code Chap. 113
- he removed all the snow from the sidewalk within 24 hours - he took pictures of his sidewalk and other sidewalks in the area, including those that are the responsibility of the City (parks), that were not cleared
- he contacted Inspector #364 (Paula Seeley) and told her that the snow she was talking about was not on the sidewalk but on the street. Ms. Seeley informed him that he must shovel the street. He asked her if he had to shovel the street by law; she said, "Yes." (not true, he said)
- the City's website says that he does not have to shovel the streets
- he called his councilmember's office; the aide told him it was the responsibility of Public Works
- he contacted Public Works, who told him the street was their responsibility and they would send a foreman out to assess it
- he then called Inspector Seeley and left a message saying that he informed PW about the problem and that they were on top of it
- next day, he received a call from his councilmember's office; the aide said that Ms. Seeley insisted that it was his responsibility - 2 Work Orders were in existence: 1) through PW; 2) through DSI/Parks Dept

Ms. Moermond:

- viewed Video - showed Parks opened up the crosswalk, salted and sanded
- Ms. Moermond saw fresh snow on top of a shoveled walk and the crosswalk hadn't been opened
- Ms. Moermond said that she would recommend this assessment be deleted
- also, it would be a courtesy to the neighbors to try to push that snow out a little bit more for pedestrian passing through
- she understands that the street is not his responsibility to take care of; at the same time, it was a very rough winter and she, too, was shoveling the street
- in the future, he thinks it would be great if he, too, would shovel the street, when huge amounts of snow fall

Referred to the City Council due back on 7/6/2011

- 4 [RLH TA 11-156](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1095 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Attachments: [1095 maryland Ave E snow letter 2.4.11.pdf](#)

Ms. Moermond recommends approving the assessment.

RE: 1095 Maryland Ave E (duplex)

Lawrence Tam, LTL Management Services, appeared.

Inspector Joe Yannarely:

- sidewalk snow letter - Orders issued Feb 4, 2011 with a compliance date of Feb 7
- re-check done Feb 7, 2011 and found in noncompliance
- work done by City on Feb 8, 2011 for a cost of \$160 plus \$140 service charge for a total of \$300
- at previous LH, Ms. Moermond had requested the Video, which was viewed today
- video showed Parks had opened the sidewalk full width, salted and sanded

Mr. Tam:

- looks as though the maintenance guy just doesn't do a good job
- he is asking for a more reasonable fee

Ms. Moermond:

- the maintenance guy should have taken care of it
- she will recommend approval of the assessment

Referred to the City Council due back on 7/6/2011

- 5 [RLH TA 11-118](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 1136 FIFTH STREET EAST.

Sponsors: Lantry

Attachments: [1136 5th St E work order photo 2.9.11.DOC](#)
 [1136 5th St E. SA 2.4.11.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 7/6/2011

- 6 [RLH TA 11-162](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 672 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

Recommends referring the matter to Legislative Hearing on August 2 and City Council public hearing August 17, 2011.

LH July 5, 2011 a.m.

RE: 672 Magnolia Ave E

Lawrence Tam, LTL Management Services, appeared.

Mr. Tam:

- *re: couch in back alley*
- *did not get Notice*
- *\$700 to get rid of couch is expensive*
- *No one lives at this address, hasn't for a year; how can there be legitimate garbage?*
- *Property is for sale – our intention is to keep everything clean*
- *Maintenance person goes to clean there weekly*
- *Someone else is throwing trash on the property*

Inspector Joe Yannarely:

- *no Video*
- *Notice sent to H & T Development LLC, 1711 Co Rd B W Ste 330, Roseville (Mr. Tam's Office)*
- *Remove garbage, rubbish, discarded furniture*

Ms. Moermond:

- *there's an extensive history on this property (Feb 10, 2010; Apr 26, 2010; Apr 30, 2010, Oct 30, 2010; Nov, 2010; Jan 2011; Feb 2011)*
- *wants to see the Video on this*
- *will make Video available so that Mr. Tam can also come to see it at DSI*
- *will recommend a layover at CCPH*

Referred to the City Council due back on 7/6/2011

- 7 [RLH TA 11-185](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1109, Assessment No. 118062 at 775 ORANGE AVENUE EAST.

Sponsors: Bostrom

LH July 5, 2011 a.m.

RE: 755 Orange Ave E (single family)

Patrick McCurdy, owner, appeared.

Vacant Building fee

Inspector Joe Yannarely:

- *has been a Category 1 Vacant Building since Mar 3, 2010*
- *history of 2 Work Orders*
- *Note: Nov 18, 2010 – HUD apparently owns the property*
- *Note: Jan 2011 – it's for sale*

Patrick McCurdy:

- *living there since June 1, 2011*
- *closed on May 17, 2011*
- *absorbed VB fee for this year*
- *all was given to me at closing*

Ms. Moermond:

- *will recommend the City Council delete this assessment (\$1,235)*

Referred to the City Council due back on 7/6/2011

VB1110 - August 3 CPH

- 8 [RLH AR 11-28](#) Ratifying Collection of Vacant Building Fees in April 2011 (File No. VB1110, Assessment No. 118072)

Sponsors: Lantry

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/3/2011

- 9 [RLH TA 11-180](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1110; Assessment No. 118072 at 674 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

Ms. Moermond recommends approval of the assessment.

RE: 674 Hawthorne Ave E (duplex)

David Hartman, owner, appeared.

Inspector Joe Yannarely:

- unpaid Vacant Building assessment for \$1,100 with a service charge of \$135 for a total of \$1,235
- this is a Category 2 Vacant Building; file opened Mar 19, 2009
- a Code Compliance Inspection was done on Sep 11, 2009, which has since expired
- have been 2 VB fee extensions granted
- permits are still active; none are finalized

Mr. Hartman:

- building should be completed within the next 90 days
- would appreciate having the service charge removed
- the property had been severely burned; it was gutted

Ms. Moermond:

- says he has to pay the VB fee in full
- the job didn't get done in 2 extensions; she can't go any longer
- suggested he go to the City Council

Referred to the City Council due back on 8/3/2011

- 10 [RLH TA 11-145](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1110, Assessment No. 118072 at 5 JESSAMINE AVENUE EAST.

Sponsors: Helgen

Delete the assessment as the fee was paid by check on June 22, 2011.

Referred to the City Council due back on 8/3/2011

- 11 [RLH TA 11-184](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1110, Assessment No. 118072 at 718 ORANGE AVENUE.

Sponsors: Bostrom

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 12 [RLH TA 11-179](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1110, Assessment No.118072 at 676 RIVOLI STREET.

Sponsors: Thune

Ms. Moermond will recommend approval of the assessment.

RE: 676 Rivoli St (duplex)

Robert Nollet, owner, appeared.

Vacant Building fee: \$1,235

Mr. Nollet:

- can't hear or talk very well*
- doesn't have the money to pay for all this; he lives on Social Security*
- losing rent money*
- there is no parking lot*
- doesn't know what to do*
- would like to sell it; can't pay the taxes*
- had trouble with tenants who wouldn't let anyone in and they wouldn't move out*
- he had always complied before & it took him a long time to make the corrections*
- vacant for 3 years*
- people who have wanted to buy it and looked at the Code Compliance report said they wouldn't buy the property because there's too many items on the list*
- neighbor would like to buy it*

Inspector Yannarely:

- has been a Registered Vacant Building since Dec 2008*
- has been given 2 fee waivers*
- did a Code Compliance on Dec 17, 2010, which is active*

Ms. Moermond:

- Mr. Nollet can sell the building to someone who can demonstrate they can do the repairs*
- there are people around town who do that kind of work, perhaps, Reid Soley has a list of such people*
- perhaps he could look at the top 5 rehabbers who come through the City's process, he could find someone to whom he could sell it*
- Mr. Nollet should contact Reid Soley, DSI, 266-1902*
- the Code Compliance report can substitute for a Truth in Sale of Housing*

Referred to the City Council due back on 8/3/2011

- 13 [RLH TA 11-181](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1110, Assessment No. 118072 at 299 STINSON STREET.

Sponsors: Helgen

Delete assessment per DSI.

VB File closed before annual assessment. Bill should not have been sent.

Referred to the City Council due back on 8/3/2011

J1109B - August 3 CPH

- 14 [RLH AR 11-39](#) Ratifying Boarding and Securing services during March 2011. (File No. J1109B, Asmt No. 118080)

Sponsors: Lantry

Attachments: [Assessment Roll](#)

J1113A - August 3 CPH

- 15 [RLH AR 11-29](#) Ratifying Property Clean Up services from April 01 to April 27, 2011. (File No. J1113A, Asmt No. 118077)

Sponsors: Lantry

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/3/2011

- 16 [RLH TA 11-149](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No.118077 at 691 BEDFORD STREET.

Sponsors: Thune

Attachments: [691 Bedford St.SA.DOC](#)
[691 Bedford St.Photos 3-31-11.pdf](#)

Ms. Moermond recommends deleting the assessment.

RE: 691 Bedford St (duplex)

Shoshanna Bozzelli, owner, and Mr. Johnson appeared.

Inspector Paula Seeley:

- failure to maintain exterior property
- Orders issued Mar 28 with a compliance date of Mar 31, 2011
- re-checked Mar 31 - found in non-compliance
- City did work Apr 4, 2011 at a total cost of \$458
- Orders sent to Shoshanna Bozzelli, 26535 Evergreen Ct, Elko, MN; and both Occupants
- photos

Ms. Bozzelli:

- the work had already been done

Mr. Johnson:

- after they got the notice, he contacted Joe's Clean-Up, who said he couldn't do it the same; he did it the following day
- he was surprised when he got the letter because he had gone over there the

following day and the clean up was done
 - the tenant used the trash can to put in his garbage - he brings it to the disposal plant himself
 - the washing machine was left by another tenant who was moving out

Ms. Moermond:

- viewed Video - showed scattered papers, appliances in back, rubbish, trash, trash can, etc.
 - she tried to pull up those Orders and found none
 - everything on the list was removed except for the garbage container and the washer
 - a good faith effort was made
 - she will recommend deletion of this assessment

Referred to the City Council due back on 8/3/2011

- 17 [RLH TA 11-154](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 1153 CENTRAL AVENUE WEST.

Sponsors: Carter III

Attachments: [1153 Central Ave W.SA.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 18 [RLH TA 11-166](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A ; Assessment No. 118077 at 640 CHARLES AVENUE.

Sponsors: Carter III

Attachments: [640 charles ave.sa.DOC](#)
 [640 Charles ave. photo.DOC](#)

Ms. Moermond will recommend deleting the assessment.

RE: 640 Charles Ave (single family)

Gregory Prosch appeared

Inspector Paula Seeley:

- Orders were mailed for property clean-up Apr 8, 2011 with a compliance date of Apr 12, 2011
 - City did work on Apr 15, 2011 for a total cost of \$428
 - Orders were sent to 19 Charles LLC, Pro Realty Services, 3570 Lexington Ave N Ste 202, Shoreview; and Occupant
 - entered photo taken Apr 8, 2011
 - no video

Mr. Prosch:

- all of that trash had been cleaned-up before the City came out to do it
 - tenants moved out Apr 6, 2011 and left a lot of refuse in the alley, which their contractor cleaned-up (over 6 yds) on Apr 8 (after the photo was taken)
 - he entered the invoice for the 6 yds of trash removal from their maintenance people
 - there was also a move-in and those tenants piled a bunch of stuff back near the alley, also

Ms. Moermond:
- will recommend the assessment be deleted

Referred to the City Council due back on 8/3/2011

- 19 [RLH TA 11-139](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 673 CHARLES AVENUE.

Sponsors: Carter III

Attachments: [673 Charles Ave. SA.DOC](#)

Ms. Moermond will recommend approval of this assessment.

RE: 673 Charles Ave (duplex)

Tom Benda, representing DRB #24 LLC, appeared.

Inspector Paula Seeley:
- failure to maintain exterior property
- Summary Abatement issued Mar 25, 2011 with a compliance date of Apr 1, 2011
- re-checked Apr 4 and found to be in non-compliance
- work was done by Parks Apr 4, 2011 for a total cost of \$456
- Orders issued to DRB#24 LLC, PO Box 16595, St. Paul; and Occupant

Mr. Benda:
- there was a substantially large pile of snow adjacent to the garage where there was some garbage; someone had been using it for a dumping field all winter and he hadn't caught it
- after he got the notice, they went out and got what they could right away
- 3 days later, they went back and filled another trailer
- a number of days later, he spoke with the lower unit tenant and asked if her son and his friends could clean it up, which they did (very good job)
- they were still not down to the pavement; much was frozen in
- they came back on a number of occasions - taking care of it as it melted
- it came from the property next door; they know it will be taken care of

Ms. Moermond:
- viewed Video
- will recommend approval of the assessment

Referred to the City Council due back on 8/3/2011

- 20 [RLH TA 11-142](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 723 CHARLES AVENUE.

Sponsors: Carter III

Attachments: [723 CHARLES AVE. PHOTO.DOC](#)
 [723 CHARLES AVE. SA.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 21 [RLH TA 11-178](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 981 EARL STREET.

Sponsors: Bostrom

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 22 [RLH TA 11-183](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 696 FIFTH STREET EAST.

Sponsors: Lantry

Attachments: [696 5th ST W Summary Abatement 3.22.11.DOC](#)
 [696 5thSt E Photos 3.31.11.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 23 [RLH TA 11-171](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 1237 FIFTH STREET EAST

Sponsors: Lantry

Attachments: [1237 5th St. Sa.DOC](#)

Ms. Moermond recommends approval of this assessment.

RE: 1237 Fifth St E (duplex)

Gina Ellis and Ken Eastman, tenants, appeared.

Inspector Paula Seeley:

- failure to maintain exterior property*
- Orders issued by Inspector Mitch Imbertson on Mar 31, 2011 with a compliance date of Apr 7, 2011*
- re-checked Apr 11, and found to be noncompliant*
- work was done Apr 14, 2011 at a total cost \$428*
- Orders sent to: Osprey LLC, 855 Village Center Dr Ste 383; and Occupant*
- highlighted: remove wood chairs at rear, scrap wood, clean-up dog feces in yard areas and on public sidewalk*
- she was the inspector who followed up on Apr 27 - it was unbelievable*
- photos*
- owners are charging the fee to the tenants; Animal Control is very involved with this (for dogs in the garage)*
- spoke with Beth Ann, property manager*
- illegal use of garage as a dwelling*
- City Attorney's Office has been contacted*

Mr. Eastman:

- doesn't have any dogs*
- a landscaping business rents/moved into the garage on the property; they put a pit bull plus another dog inside the garage (Condemned since Jun 23, 2011)*
- garage tenant had a tool sale while the garage was Condemned; they called the police; police said he could continue with the tool sale*
- tenants' truck and all his trash is still at the property*
- they never had any problems until the garage tenant moved in (seems to be a*

former neighbor of Beth Ann)

Ms. Ellis:

- has 2 registered pit bulls, and had an arrangement with Animal Control -came out Mar 21; she went to talk with them that same day
- snow was still on the ground - she cleaned up feces on yard where snow had melted
- further - her arrangement with Animal Control was to finish cleaning up once the snow had melted, with which she complied
- she, personally, did not get the Order from the City; got it from their management company
- her management company said there was feces back in the corner of the property buried underneath leaves and brush (from previous tenant)
- she and the other tenant called on the dog that moved into the garage in April multiple times
- owner told the tenants they could appeal if they wanted to

Ms. Moermond:

- viewed Video (showed garbage, rubbish, dog feces throughout the yard)
- the owner wants to charge these tenants for problems with the dogs of the person who was renting the garage
- there should be an arrangement with the landlord that these tenants be only partly responsible for this
- it's the owner's responsibility to take care of these assessments (may be a provision in tenants' lease that requires them to pick up the cost)
- saw that a fair bit of clean-up had occurred
- doesn't sound as though the majority of this was these tenants' fault
- will recommend approval of this assessment
- will make the City Attorney's Office aware that this has come through LH

Referred to the City Council due back on 8/3/2011

- 24 [RLH TA 11-141](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No.118077 at 604 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

Attachments: [604 Hawthorne Ave E. Sa.DOC](#)
 [604 Hawthorne Ave. Photo.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/10/2011

- 25 [RLH TA 11-150](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No.118077 at 755 HOWELL STREET NORTH.

Sponsors: Stark

Attachments: [755 howell St N. SA.DOC](#)
 [755 Howell St N.Photos 4-14-11.pdf](#)

LO for 1 wk to view Video.

RE: 755 Howell St N (duplex)

Abdusabur Bune, owner, appeared.

Inspector Paula Seeley:

- photos in system but no Video at the hearing
- property clean-up Orders issued Apr 5, 2011 with a compliance date of Apr 13, 2011
- re-checked on Apr 13 and found noncompliant
- Parks did the work Apr 15, 2011 for a total cost of \$456
- Orders were mailed Apr 6 to Abdusabur Bune, 755 Howell St N

Mr. Bune:

- heavy snow damage on the roof which came down through the ceiling onto the floor
- removed the carpet and put outside
- insurance adjuster came
- the roofer put a cover onto the roof; put shingles into plastic bag
- same week his son was sick
- he was cleaning up when the City came

Ms. Moermond:

- viewed photos - seeing overflowing garbage containers, cardboard boxes along the house, bags, etc.
- there were some shingles but a lot of other things, as well

Inspector Essling:

- Notes: dirty diapers, loose garbage outside container

Ms. Moermond:

- on the compliance date, things were not cleaned-up
- wants to see the Video next week at LH
- layover for 1 week

Laid Over to the Legislative Hearings due back on 7/12/2011

- 26 [RLH TA 11-170](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No.118077 at 936 LAFOND AVENUE.

Sponsors: Carter III

Attachments: [936 Lafond Ave. photo.DOC](#)
 [936 Lafond Ave. SA.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 27 [RLH TA 11-140](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No.118077 at 358 MAGNOLIA AVENUE EAST.

Sponsors: Helgen

Attachments: [358 Magnolia Ave E. SA.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 28 [RLH TA 11-143](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No.

J1113A, Assessment No.118077 at 335 MAGNOLIA AVENUE EAST.

Sponsors: Helgen

Attachments: [335 Maganolia Ave E. SA.DOC](#)
[335 Magnolia Ave E.Photos.4-14-11.pdf](#)

Ms. Moermond recommends approving the assessment payable over 3 years.

RE: 335 Magnolia Ave E (single-family)

Marta Bradshaw, CMB Properties LLC, appeared.

Inspector Paula Seeley:

- failure to maintain exterior property
- Orders issued Apr 11, 2011 with a compliance date of Apr 14, 2011
- re-inspection on Apr 14 and found to be in noncompliance
- work done Apr 18 for a total cost of \$428
- Orders were sent to MJ Investments LLC, 18235 Bender St NE, Forest Lake; Occupant; and CMB Properties LLC, 18125 Tulane St NE, Forest Lake
- no Video; only photos taken Apr 14, 2011

Ms. Bradshaw:

- it's her mother-in-law's property
- new tenants moved in and inspectors went by as tenants were leaving belongings outside while they were moving in
- when she became aware of this, she phoned tenants who said they would get it all bagged up
- called Waste Management - said it would be 3 days or so before a trash can could be delivered - also told them there would be extra trash - they said they would pick up all the extra trash
- Waste Management did not bring a trash can quickly and they did not pick up the extra trash, which they had thought they had done when it was no longer there
- tenants let her know that a trash can had not been left behind
- she called inspector and left messages a couple of times but they just played telephone tag

Ms. Moermond:

- viewed photos
- she will recommend approval of the assessment divided over 3 years

Referred to the City Council due back on 8/3/2011

- 29 [RLH TA 11-164](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No.118077 at 841 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

Attachments: [841 magnolia ave e. Photo.DOC](#)
[841 Magnolia ave e.Sa.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 30 [RLH TA 11-187](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 802 MOUND STREET.

Sponsors: Lantry

Attachments: [802 Mound St.Assessment Roll.pdf](#)

Ms. Moermond will recommend the City Council approve this assessment payable over 3 years.

RE: 802 Mound St (single family)

Dawn Flores, owner, appeared.

Property Clean-up

Inspector Paula Seeley:

- *Summary Abatement Order issued Mar 2, 2011 with a re-check date of Mar 7, 2011*
- *Trailer full of rubbish in the back yard*
- *Owner called Mar 31 – snow blocking the trailer up on an embankment*
- *Inspector gave extension to Mar 31, 2011*
- *Work Order issued Mar 31, 2011 for a cost of \$512*

Ms. Flores:

- *this all started back in Nov 2010 (got first Notice)*
- *the trailer was there to clean out the basement*
- *that weekend, 17 inches of snow fell*
- *couldn't get the trailer back down the hill (the land next to her is owned by the state and when they come by to clean the sidewalk on the corner lot, they use a snow machine and they pushed snow up at the edge of the property which left an embankment and they couldn't get the trailer over that*
- *she made a few phone calls to the inspector explaining that*
- *the snow didn't melt but just kept piling up*
- *received next letter in Mar 2011 and the snow was still there*
- *some snow had melted in the yard but not at the edge of the property – the snow hill was now ice*
- *left message with Inspector Seeley on Mar 31 that the snow was almost gone – would be able to get the trailer out of there soon*
- *was going to be out of town that week – will give progress report when she returns*
- *the owner of the trailer was scheduled to come to get the trailer as soon as they were able*
- *the day that the City came to do the clean-up, the owner came by at noon and moved the empty trailer*

Ms. Moermond:

- *viewed Video (Ms. Flores noted that unfortunately, the video did not show how steep the hill was or the snow bank at the bottom by the sidewalk*

Ms. Seeley:

- *received another complaint after she gave the extension*
- *have been previous Orders on this property, as well*

Ms. Moermond will recommend the City Council approve this assessment payable over 3 years.

Referred to the City Council due back on 8/3/2011

- 31 [RLH TA 11-144](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No.J1113A, Assessment No. 118077 at 956 PROSPERITY AVENUE.
- Sponsors:** Bostrom
- Attachments:** [956 Prosperity Ave. SA.DOC](#)
[956prospertiy Ave. photos.DOC](#)
- Ms. Moermond will recommend reducing the assessment from \$808 to \$400.*
- RE: 956 Prosperity Ave (warehouse)*
- John Holmgren, PMC Properties, appeared.*
- Inspector Paula Seeley:*
- failure to maintain exterior property
 - Orders sent Apr 8, 2011 with a compliance date of Apr 14
 - re-checked Apr 15 and found to be noncompliant
 - work was done Apr 20, 2011 for a total cost of \$808
 - Orders sent to PMC Properties, c/o John Holmgren, 474 Minnehaha Ave W; and Occupant
 - police work orders for dumping several tires and car bumpers on south side of bldg (owner should not be charged for these)
 - there were trailers with debris, expired vehicles, several pallets, scrap machinery, etc., inside the fence in the back of the parking lot where zoning prohibits any exterior storage
- Mr. Holmgren:*
- extenuating circumstances: part of the debris was illegally dumped (police case ##)
 - tenant was in the process of moving into the space
 - wasn't aware that they couldn't have any outside storage at all - tenant was just trying to separate and organize his belongings
 - there has always been outside storage there: vehicles, equipment, etc.
- Ms. Moermond:*
- Correction Order was clear about no outside storage
 - viewed Video
 - \$230 of the charge is for the tires alone
 - will reduce the assessment from \$808 to \$400
 - suggests Mr. Holmgren go to the City Council public hearing Aug 3, 2011
- Referred to the City Council due back on 8/3/2011**
- 32 [RLH TA 11-147](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No.J1113A, Assessment No. 118077 at 1730 SEVENTH STREET EAST.
- Sponsors:** Lantry
- Attachments:** [1730 7th St E. SA.DOC](#)
- No one appeared. Approve the assessment.*
- Referred to the City Council due back on 8/3/2011**
- 33 [RLH TA 11-176](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 1339 SHERBURNE AVENUE.

Sponsors: Stark

Attachments: [1339 Sherburne Ave Summary Abatemnt 4.22.11.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 34 [RLH TA 11-167](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 1089 SUBURBAN AVENUE.

Sponsors: Lantry

Attachments: [1089 suburban Ave. Sa.DOC](#)
[1089 sububan Ave. photo.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 35 [RLH TA 11-148](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113A, Assessment No. 118077 at 1220 SYLVAN STREET.

Sponsors: Helgen

Attachments: [1220 Sylvan St. SA.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

J1108E - August 3 CPH

- 36 [RLH AR 11-40](#) Ratifying Excessive Inspection Services billed from March 14 to April 08, 2011 (File No. J1108E, Assessment No. 118084)

Sponsors: Lantry

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/3/2011

- 37 [RLH TA 11-158](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1108E, Assessment No. 118084 at 1270 CLEVELAND AVENUE SOUTH.

Sponsors: Harris

Attachments: [1270 Cleveland Ave S Correction notice 10.7.10.DOC](#)
[1270 Cleveland Ave S EC letter 3.21.11.DOC](#)
[1270 Cleveland Ave S.Photos 3-18-11.pdf](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 38 [RLH TA 11-153](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1108E, Assessment No.118084 at 255 COLBORNE STREET.
- Sponsors:** Thune
- Attachments:** [255 Colborne Ave. SA.DOC](#)
[255 Colborne St. EC.DOC](#)
[255 Colborne St.Photos 5-17-11.pdf](#)
- Ms. Moermond will recommend deleting the assessment.*
- RE: 255 Colborne St (apartments - 9 rental units)*
- Philip and Marcia Liniewicz, owners, appeared.*
- After some discussion among Ms. Moermond, Inspector Paula Seeley and the applicants, it was discovered that there were problems with the dates of the Orders and Ms. Moermond recommended deleting the assessment.*
- Referred to the City Council due back on 8/3/2011**
- 39 [RLH TA 11-155](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1108E, Assessment No.118084 at 1256 HARTFORD AVENUE.
- Sponsors:** Harris
- Attachments:** [1256 Hartford ave. ec.pdf](#)
[1256 Hartford ave .sa.DOC](#)
[1256 Hartford ave . photos.DOC](#)
- No one appeared. Approve the assessment.*
- Referred to the City Council due back on 8/3/2011**
- 40 [RLH TA 11-172](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1108E, Assessment No. 118084 at 1632 SHERBURNE AVE (AKA 500 FRY STREET).
- Sponsors:** Stark
- Attachments:** [1632 Sherburne Ave. photo.DOC](#)
[1632 Sherburne Ave.pdf](#)
- Ms. Moermond will recommend deleting this assessment.*
- RE: 1632 Sherburne Ave (500 Fry St / 508 Fry St / 1630 Sherburne)*
- Shawn Kostrzewa appeared.*
- Inspector Paula Seeley:*
- snow Order issued Mar 7, 2011 with a compliance date of Mar 9, 2011*
 - re-checked Mar 10 and found to be noncompliant*
 - PAEC - work done by owner*
 - Excessive Consumption fee at a cost of \$70*
 - Orders sent to Charles Bonhofer, 5159 NW 46 St, Owatonna; James Daly, 1055 Dale Rd, Woodbury; Occupant 500 Fry*

- inspector went out Mar 10, 2011 and issued Work Order
- when Parks arrived, it had been done by owner
- photos

Mr. Kostrzewa:

- these were for excessive inspection services for the property from Mar 14 - through Apr 8, 2011
- 1630 Sherburne LLC acquired the property on Apr 19, 2011 (was not the property owner during the aforementioned period)

Ms. Moermond:

- will recommend deletion of the assessment

Referred to the City Council due back on 8/3/2011

- 41 [RLH TA 11-152](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1108E, Assessment No. 118084 at 536 SMITH AVENUE SOUTH.

Sponsors: Thune

On March 15, 2011 Inspector found non-compliance. On March 17, 2011, Parks found done by owner; recommends deleting the assessment as the new owner was not notified.

Referred to the City Council due back on 8/3/2011

- 42 [RLH TA 11-163](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1108E, Assessment No. 118084 at 811 SMITH AVENUE SOUTH.

Sponsors: Thune

Attachments: [811 Smith Ave S EC letter4.5.11.DOC](#)
 [811 Smith Ave S Photos 4.5.11.DOC](#)
 [811 Smith Ave S correction notice 4.5.11.DOC](#)
 [811 Smith Ave S Summary Abatement 4.5.11.DOC](#)

Ms. Moermond will recommend approval of the assessment.

RE: 811 Smith Ave S (three/four family)

Andrew Hybben appeared.

Inspector Paul Seeley:

- Excessive Consumption fee of \$75
- Orders issued Apr 5, 2011 to Occupant, 811 Smith LLC, 3363 Oasis Ave N, Stillwater; and Andrew Hybben, same address
- Inspector underlined rubbish, brush, animal feces, etc.
- Photos of trash, dog feces, etc.

Mr. Hybben:

- he said he wasn't at the LH to appeal it; he just wanted to pay for it
- he thought it was going to go onto his taxes

Ms. Moermond:

- Mr. Hybben can go to the Real Estate Office, 1000 CHA, and pay now
- will recommend approval of the assessment

Referred to the City Council due back on 8/3/2011

- 43 [RLH TA 11-165](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1108E, Assessment No.118084 at 850 SIMS AVENUE.

Sponsors: Bostrom

Attachments: [850 Sims Ave.SA.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

J1110G - August 3 CPH

- 44 [RLH AR 11-37](#) Ratifying Weekly Trash Hauling Services from April 06 to April 27, 2011 (File No. J1110G, Assessment No. 118078)

Sponsors: Lantry

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/3/2011

- 45 [RLH TA 11-157](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1110G, Assessment No. 118078 at 1256 HARTFORD AVENUE.

Sponsors: Harris

Attachments: [1256 hartford ave. hauler.DOC](#)

No one appeared. Approve the assessment.

Referred to the City Council due back on 8/3/2011

- 46 [RLH TA 11-186](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1110G, Assessment No. 118078 at 119 WINNIPEG AVENUE.

Sponsors: Helgen

Ms. Moermond recommends deleting the assessment.

Referred to the City Council due back on 8/3/2011

J1112P - August 3 CPH

- 47 [RLH AR 11-38](#) Ratifying Graffiti Removal Services from March 30 to April 23, 2011(File No. J1112P, Assessment No. 118079)

Sponsors: Lantry

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/3/2011

floors may need to be sealed to eliminate odors; remove urine and feces soiled carpeting and padding

- *some structural work was done in the basement but there's no permit on record*
- *some electrical work was done, which took a very long time*

Ms. Soland:

- *had 4 cats but no longer has cats*
- *she put solution that kills odors on the floors*
- *the tile in the kitchen has been replaced*
- *the carpet will be replaced Friday of this week (asked if she could get an inspector to come in before she puts the carpet down)*
- *has 2 dogs, currently, trained to go outside*
- *the old cat had problems and things got out of control*
- *re: the unlawful detainer, rent will be paid this Friday*

Ms. Moermond:

- *asked about the structural work in basement*
- *structural support people need to pull permits*

Ms. Soland:

- *owner had a structural post in the basement*
- *Harrison electric needed to do some work*
- *beams were ripped out and put back*
- *someone also came in to put up handrails*

Ms. Moermond:

- *she will extend the vacate for 2 weeks (until July 21, 2011)*
- *she is uncomfortable with the support work that had been done - Ms. Soland needs to get some advice about how to handle that*
- *perhaps, she will need to talk with Legal Aid (SMRLS) 222-5863*

Referred to the City Council due back on 8/3/2011

51 [RLH VO 11-32](#)

Appeal of Michael G. Kula, P.A., on behalf of Rick Thorne, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1429 MARSHALL AVENUE.

Sponsors: Carter III

Attachments: [1429 Marshall.appeal.6-9-11.pdf](#)
 [1429 Marshall Ave.Photos.6-28-11.pdf](#)

Ms. Moermond will recommend granting an extension until August 12, 2011 to get a structural engineer's report and a plan for proceeding.

RE: 1429 Marshall Ave (general retail and SVC B-Commercial) - CCPH July 6, 2011

Rick Thorne, Diana Thorne-Lund, owners, and Michael Kula, attorney representing owners, appeared.

Fire Inspector Leanna Shaff:

- *photos available in AMANDA*
- *this is a Condemnation of Fire Certificate of Occupancy*
- *it is unsafe and dangerous*
- *inspected by both the Assistant Fire Marshal, Phil Owens and Inspector A. J. Neis*
- *the building is compromised due to a shared wall on the property line*
- *there are two different owners (2 different pin numbers)*

- in tearing down one building, it compromised the structural integrity of the building that's still standing
- Fire would like a structural engineer's report to determine whether the standing building is sound or whether it needs to be razed, as well
- if the building is allowed to stand, it is lacking the necessary egress, which would need to be provided
- this has been going on for 4 weeks on a bldg that Fire believes is structurally unsound
- it is still being used

Mr. Kula:

- collaterally related to the Condemnation of the property at 1415 Marshall, recently purchased by Concordia University (an Order to Remove structures because they constituted nuisance buildings)
- survey was done and found that 1429 Marshall encroaches upon the 1415 Marshall property by approximately 2 1/2 feet
- the 2 bldgs shared a common wall made out of concrete brick
- the bldg was compromised on or around June 7, 2011 when the demo contractor on site working for Concordia, was instructed to start in the area where this common wall was shared
- in discussions with Concordia, they had been willing to allow the common wall to remain
- they believe that Concordia contacted the contractor and suggested that they be a saw cut made
- actually, the wall was demolished prior to the saw cut being made
- had the saw cut been allowed to be made before the demolition, they believe they wouldn't be here today
- they believe that the demolition has caused this condition and has resulted in the building is currently, structurally unsound and safe
- from the very beginning of discussions with Concordia, they have been more than gracious in terms of being willing to work with the property owners to allow the use of the common wall
- since that time, they have also been in the process of negotiating a license agreement whereby the common wall would be allowed to stay as an encroachment on the 1415 property (with conditions)
- but for the recent holiday, they would have had their agreement completed
- both parties have already spent a lot of money in attorneys' fees
- if it turns out that the wall is not structurally sound, they won't need the agreement with Concordia
- but, they don't know whether they should get the structural engineer's report until they know they have an agreement with Concordia
- their focus has been to complete the agreement with Concordia to allow for the common wall to remain and access
- he received an email from Concordia's attorney indicating they are very close to an agreement
- once the agreement is signed, a structural engineer will be engaged
- they expect that the engineer will indicate that a repair will be needed (hole created by demo)
- the property owners would take care of those repairs
- this has taken a longer time than they had thought but they're very close
- they are looking for more time to complete the process (agreement signed and structural engineer's report)
- if the wall cannot be salvaged, there will be more discussion about options
- they are optimistic on obtaining a favorable structural engineer's report

Mr. Thorne:

- been in negotiations with Concordia since May 15, 2011
- owned that property for 80 years
- they built the building (used by Lambert Lumber and Horning and Donahue)
- all the roof structure is attached to their inner wall (approval was obtained on a handshake many years ago)
- currently, it's used as cold storage
- Concordia told the demo contractor to saw cut; Mr. Magner ordered that corner to be torn out
- the demo contractor said he worked for Concordia and they want it saw cut
- Mr. Magner knew that the tenants had property in those buildings
- Mr. Thorne got upset and called Steve Magner and Steve Ubl, who said the City didn't know about the agreement discussions with Concordia
- Concordia was apologetic and said they would pay the cost; Mr. Thorne responded that they would pay the cost upon the structural engineer's OK

Mr. Kula:

- tenants have been advised to stay away until this matter is resolved.
- procedurally, these parties were not notified that the the rest of this building was to be taken down or about the impact on this particular wall
- the Notice was not issued to either of their addresses
- Ms. Thorne-Lund has never received any notice of the Condemnation
- the Notice of the Condemnation went to 1416 Carroll and a tenant there notified Mr. Thorne that they had received this notification
- they have concerns about the process that was undertaken, particularly as it affects pretty substantial property rights of the owners and tenants

Ms. Shaff:

- that is the address that was provided in the past Fire Certificate of Occupancies
- the Ordinance talks about it being up to the owner to inform Fire of addresses and changes of address that are applicable
- Property tax records are held by Ramsey County and used by the City for notification
- the Fire C of O notifications have been going to 1416 Carroll since at least 2004

Ms. Moermond:

- also has an address of MCB Holdings LLC at 1457 Marshall (Ramsey County) (Mr. Thorne said that was wrong information- he has never missed a tax statement - the tax statement goes to 3 Griggs St N)

Mr. Kula:

- Concordia did not make them aware that there were property line issues until sometime late in May
- STAMP seems to have all the old information
- there is no "proceeding" here; we've been Condemned

Ms. Moermond:

- this is not a Condemnation used for eminent domain (state taking property)
- this Condemnation is for unsafe property - order to vacate
- there could be a forthcoming abatement order because it's considered a dangerous structure
- another enforcement action that could be taken if there isn't resolution is a criminal citation
- there could be a collapse so everyone must stay out of the building
- if this doesn't get fixed, there will need to be a way to get the tenants property out of the building, safely
- extra time can be granted but she is concerned about the end game

Mr. Kula:

- these parties didn't do anything to compromise the wall
- the agreement is nearly finished
- everything is dependent on the structural engineer's report
- they already have someone lined up to do the report

Ms. Moermond:

- no matter what, if the building is to be used, it must have a second exit
- arrange 2 points where the tenant can access his property; owner must be present and door must be wide open
- will recommend granting an extension to August 12, 2011 to get the structural engineer's report and a rehab plan for the building
- if the deadline is not met, she will recommend to the department that they pursue other avenues of enforcement

Referred to the City Council due back on 7/6/2011

1:30 p.m. Hearings

Window Variances: Hearing Required

- 52 [RLH FOW 11-90](#) Appeal of Lori Kustritz, on behalf of EMK Holding Co., to a Fire Certificate of Occupancy Inspection Correction Notice at 607 GRAND AVENUE.

Sponsors: Thune

Attachments: [607 Grand.appeal.6-29-11.pdf](#)

Grant variances for the egress windows in the rear, front west and front east bedrooms; and deny a variance for the egress window in the 3rd floor front bedroom and grant an extension for 90 days unless Appellant can get the window to open to 16 inches high. (Inspector Leanna Shaff)

RE: 607 Grand Ave (single family)

Lori Kustritz, EMK Holding Co, appeared.

Fire Inspector Schaff:

- referral; she inspected on Jun 24, 2011
- 3rd floor - one very large room and one normal sized room
- the smaller room has 2 double hung windows side by side, opens 15.5h x 29w

Ms. Moermond:

- will recommend denying a variance on the 2 double hung windows
- get it to open another 1/2 in; take a photo showing the 16" dimension and she'll grant the variance (email it)
- she will grant a 90-day extension to come into compliance
- or go to the City Council to seek a different outcome

Ms. Kustritz:

- the top half of the window is smaller than the lower half
- will look for something creative to solve the problem

Referred to the City Council due back on 8/3/2011

- 53 [RLH WP 11-42](#) Appeal of The Home Depot At-Home Services, on behalf of Thomas Lloyd, to an Egress Window Non-Compliance Determination at 264 WYOMING STREET EAST.

Sponsors: Thune

Attachments: [264 Wyoming.appeal.6-28-11.pdf](#)

Grant a 4-inch variance on the openable height and a 1-inch variance on the openable width of two double hung replacement egress bedroom windows measuring 20 inches high by 19 inches wide; deny the three double hung replacement egress bedroom windows measuring 10.5 inches high by 15.5 inches wide. (Plan Review)

RE: 264 Wyoming St E (single family)

Thomas Lloyd, owner, appeared.

Ms. Moermond:

- note: 2 windows that measure 20h x 19w inches
- she will recommend a variance on those windows
- note: 3 windows that have an opening width of 15.5 in and opening height of 10.5 in
- she will recommend denial on those windows - a slider may work
- she will go no lower than 16h if there is adequate width to accommodate that for maneuvering through the space
- could do a custom window
- need to be able to get a body through

Mr. Lloyd:

- entered photos of top 3 windows in the upper floor near the roof line and a header
- has been that way for 40-50 years
- could probably do a slider

Ms. Moermond will recommend approval of the 20h x 19w inch windows; she will recommend denial of the 10.5h x 15.5w inch windows

Referred to the City Council due back on 8/3/2011

Fire Certificates of Occupancy

- 54 [RLH FCO 11-195](#) Appeal of Dan Walsh to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 652 IGLEHART AVENUE.

Sponsors: Carter III

Attachments: [652 Iglehart.appeal.6-21-11.pdf](#)

Laid over to check on status of water pressure. Deny on light fixtures in basement near laundry room and the exhaust dryer duct issue. (Inspector Lisa Martin) (CPH 9/21)

RE: 652 Iglehart Ave (duplex)

Dan Walsh, owner, appeared.

Fire Inspector Shaff:

- re-inspection of Fire Certificate of Occupancy on June 15, 2011 by Inspector Martin
- Inspector Shaff was the second inspector on the property
- Inspector Martin originally called out the kitchen sink in Unit 2 having very low water pressure - verified by Inspector Shaff
- turning on faucet the full way resulted in only a quarter or third of normal water flow, slowly diminishing
- fixture in question is above the laundry area where there is no globe and no screws

Mr. Walsh:

- confused by #3; please define
- waiting for contractor to change the outside vent of the dryer - permit has been pulled
- wants to know the minimum flow rate the City will accept in order to fix the water pressure of the kitchen sink in Unit 2; code doesn't define
- it's a 1982 property with copper throughout
- feels as though inspector may have been biased in checking water pressure
- had a May 13 appointment scheduled - he called to change it to May 17 to which Ms. Martin agreed (email); however, she came on the 13th instead
- the only response he's gotten was "the tenants let me in" - but that wasn't the re-scheduled time; and he's received no apology
- the have no DSI Work Orders of complaints on this property in 7+ years; none on any of his properties
- he requested a re-inspection (Jun 16) by a supervisor because he believed there was a bias attached to the first inspection

Inspector Shaff:

- observed low water pressure
- customer requests a re-inspection, perhaps, once a week or so (on the average)

Ms. Moermond:

- she is comfortable relying on the inspector's evaluation
- lbs per square inch is covered in the plumbing code; it applies to new construction and new equipment
- low water pressure is a rare call
- she will recommend a layover; inspector will take a look at it after Mr. Walsh fixes it
- could be a pipe - something is wrong

Mr. Walsh:

- he will remediate the faucet; could be the aerator
- once he knows the City's required lbs per square inch, he will measure it
- can't find a fixture in Unit 2 that leaks; there's a stain on the floor that has been there for 5-6 years but no water/dampness around there
- does not find this process equitable and fair
- feels as though he is being punished for changing the inspection appointment and expecting an apology from the inspector
- feels that the this inspection wasn't about fire occupancy
- he will be having surgery Jul 18, 2011 and won't be able to drive for 4 weeks

Ms. Moermond:

- inspector will re-check the new faucet and double check for dampness near the stain
- an appointment needs to be scheduled with Inspector Shaff
- will recommend a layover to Sep 6, 2011 to get the work done
- can go to the City Council public hearing

Laid Over to the Legislative Hearings due back on 9/6/2011

55 [RLH FCO
11-204](#)

Appeal of Dale Wobbe to a Revocation of Fire Certificate of Occupancy at 869 ALBEMARLE STREET.

Sponsors: Helgen

Attachments: [869 Albemarle.appeal.6-24-11.pdf](#)

Grant a 90 day waiver on the vacant building fee if Appellant can get an inspection out there in four weeks and be in full compliance. (Lisa Martin & Dennis Senty)

RE: 869 Albemarle St (duplex)

Dale Wobbe, owner, appeared.

Fire Inspector Schaff:

- *Fire Certificate of Occupancy inspection conducted by Lisa Martin*
- *goes back to Feb 2, 2011; over the months, not much has been done*
- *both levels are unoccupied*
- *property needs some work; photos from Jun 23, 2011 speak loudly*
- *C of O is revoked for multiple code violations and unoccupied*
- *Inspector Martin had a timeline (entered) on progress*

Ms. Moermond:

- *viewed photos with Ms. Martin's comments on them*

Mr. Wobbe:

- *he entered photos of everything that's fixed; he's been working hard and it's ready to be re-inspected; he was working on a full rehab*
- *downstairs tenants moved out for him; they still have a lease*
- *everything Ms. Martin said should be done is done*

Ms. Moermond:

- *read Ms. Martin's notes on progress: inspected Feb 2; Mar 15, property owner didn't show up; Apr 5, met owner, property does not meet minimum standards; Jun 23, met owner to find electrical permits haven't been completed - the wiring appears to be unsafe; basement still missing light since Feb; water heaters and furnace are in poor condition as well as the dryer vent does not meet code; building should be required to have a Code Compliance Inspection to meet minimum standards; the building is not safe; electrical, mechanical, plumbing and building codes; 2nd floor vacant since Feb, 2011; still the deficiencies haven't been corrected; the electrical inspector had been out to Unit 1 in May and said that unit was empty; Jun 23, Inspector Martin found the whole bldg was empty; Inspector Martin reviewed the photos with Supervisor Schaff; agreed it was a VB that needs a code compliance; owners said that tenants in Unit 1 are actually still living there; it can't be a VB as it's occupied; there are no personal belongings at the building; the owner states the lease shows they are in there until the end of this month and they moved all of their furniture out so he could make repairs; owner does not want to do a Code Compliance inspection*

Mr. Wobbe:

- *it needs an inspection now*
- *we've been working there every night getting it ready for inspection*
- *Joe Dabe inspected it for electrical for Mr. Lance when they first got done with the electrical upstairs*
- *the problem was that Inspector Martin couldn't find the permit (apparently, Mr. Lance didn't permit everything on the permit that was supposed to be inspected)*
- *he entered the itemized receipt from Mr. Lance (paid \$390.75 on Mar 26, 2011); he*

feels that he did his part - he went by the list and got everything done
 - Joe Dabe inspected the first time but the City doesn't have a record of it (he has the check # for the permit)
 - lower unit - Ms. Martin needed the carpeting replaced because it was a trip hazard

Ms. Shaff:

- the electrical permit was pulled on Apr 19, 2011; Inspector Schlicty finalized that permit on May 5 but it's for "fix receptacles in lower unit and in back of lower unit outside (\$200)"
 - definition of a Vacant Building: multiple code violations

Ms. Moermond:

- looking for inspection done earlier this year
 - back in Feb, 2011 - a Fire C of O letter mentions that Unit 2 is Condemned - "unfit for human habitation due to electrical fire hazard; hire electrician to make all repairs under permit"
 - a permit hasn't been pulled for some of the electrical work that needed to be done (according to the system)
 - the paid receipt show that Mr. Wobbe paid for more work than the permit indicates
 - Fire C of O or Code Compliance Inspection?
 - VB fee - how to handle that?

If Mr. Wobbe can get it inspected within 4 weeks and the C of O signed-off, the place can be re-occupied. (Call right away to get an appointment.)
 She will recommend waiving the VB fee for 90 days for Mr. Wobbe to get things done. At the one month juncture, the Fire C of O needs to be signed-off. Then, everything else needs to be completed. Suggested that an electrician to go through it and advise.

Referred to the City Council due back on 8/3/2011

2:30 p.m. Hearings

Vacant Building Registrations

56 [RLH VBR 11-47](#) Appeal of Charles Vogler to a Vacant Building Registration Notice at 435 WINSLOW AVENUE.

Sponsors: Thune

Attachments: [435 Winslow.appeal.6-20-11.pdf](#)
[435 Winslow Ave.Photos 6-6-11](#)
[435 Winslow Ave-Summary Abatement Order 6-6-11.pdf](#)

Per owner's request, matter was rescheduled to July 26.

Laid Over to the Legislative Hearings due back on 7/26/2011

Staff Reports

57 [RLH FOW 11-62](#) Appeal of Scott McCoy to a Fire Certificate of Occupancy Correction Notice at 1071 FOREST STREET.

Sponsors: Bostrom

Attachments: [1071 Forest.appeal.5-20-11.pdf](#)
 [1071 Forest St.McCoy Ltr 6-7-11.doc](#)

Grant a variance on the egress bedroom windows in Unit 201. (Also see recommendation from June 26

Referred to the City Council due back on 7/6/2011

Window Variances: No Hearing Necessary

- 58 [RLH WP 11-38](#) Appeal of Trikin Holdings to an Egress Window Non-Compliance Determination at 697 FIFTH STREET EAST.

Sponsors: Lantry

Attachments: [697 5th.appeal.6-27-11.pdf](#)

Grant a 2-inch variance on the openable width of one replacement egress bedroom window in the upper unit measuring 30 inches high by 18 inches wide. (Virgil Thomas)

Referred to the City Council due back on 8/3/2011

- 59 [RLH WP 11-34](#) Appeal of Emmanuel D'Huyvetter to an Egress Window Non-Compliance Determination at 1375 MARGARET STREET.

Sponsors: Lantry

Attachments: [1375 Margaret.appeal.6-24-11.pdf](#)

Grant a 3-inch variance on the openable width of two slider replacement egress bedroom windows measuring 39 inches high by 17 inches wide. (D. Nelson)

Referred to the City Council due back on 8/3/2011

- 60 [RLH FOW 11-87](#) Appeal of Steve Fuller to a Fire Certificate of Occupancy Inspection Correction Notice at 1694 MARGARET STREET.

Sponsors: Lantry

Attachments: [1694 Margaret.appeal.6-28-11.pdf](#)

Grant a 2-inch variance on the openable height of the egress bedroom window(s). (James Thomas)

Referred to the City Council due back on 8/3/2011

- 61 [RLH FOW 11-89](#) Appeal of Jason Martinetto, Re/Max Specialists, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 2008 RAMLOW PLACE.

Sponsors: Harris

Attachments: [2008 Ramlow.appeal.6-28-11.pdf](#)

Grant a 5-inch variance on the sill height issue on the condition that a standard sized full width step is installed below the egress windows in all three bedrooms. (Rick

Gavin)

Referred to the City Council due back on 8/3/2011

- 62 [RLH WP 11-45](#) Appeal of Champion Windows of Minneapolis, on behalf of Simon Thao, to an Egress Window Non-Compliance Determination at 1569 REANEY AVENUE.

Sponsors: Lantry

Attachments: [1569 Reaney.appeal.7-1-11.pdf](#)

Grant a 7.15-inch variance on the openable height of the double hung replacement egress bedroom window(s) measuring 16.85 inches high by 34.5 inches wide.

Referred to the City Council due back on 8/3/2011